

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
JULY 8, 2004**

BUREAU OF LAND AND WASTE MANAGEMENT

Hazardous Waste Enforcement

- 1) Order Type and Number: Consent Order 04-04-HW
 Order Date: April 6, 2004
 Respondent: **Carolina Center Occupational
Health**

 Facility: Carolina Center Occupational Health
 Location/Mailing Address: 5290 Rivers Avenue, Suite 100
 North Charleston, S.C. 29406-0000

 County: Charleston
 Previous Orders: None
 Permit/ID Number: SC10-0076G
 Violations Cited: The South Carolina Infectious Waste
Management Act, S.C. Code Ann. §44-93-140 (2002), the Environmental
Protection Fund Act, S.C. Code Ann. §48-2-50 et seq. (1993), the South
Carolina Infectious Waste Management Regulations 61-105 F (4), and the
Environmental Protection Fees Regulations 61-30 G (12).

Summary: Carolina Center Occupational Health, located in North Charleston, South Carolina, is a medical clinic that generates infectious waste. The Respondent has violated the South Carolina Infectious Waste Regulations as follows: failure to pay their 2004 Annual Infectious Waste Generator Fees in the amount of one hundred fifty dollars (\$150.00).

Action: The Respondent has agreed to: now and in the future, ensure compliance with the Infectious Waste Generator requirements as outlined in R.61-105; pay the 2004 Annual Infectious Waste Fees and outstanding penalties totaling two hundred six dollars and twenty-five cents (\$206.25); and, pay a civil penalty in the amount of two hundred eighteen dollars and seventy-five cents (\$218.75).

- 2) Order Type and Number: Consent Order 04-05-HW
 Order Date: April 28, 2004
 Respondent: **Ravenel OB/GYN**
 Facility: Ravenel OB/GYN
 Location/Mailing Address: 5920 Savannah Highway
 Ravenel, S.C. 29470-0708

 County: Charleston
 Previous Orders: None
 Permit/ID Number: SC10-1572G

Violations Cited: South Carolina Infectious Waste Management Act, S.C. Code Ann. §44-93-140 (2002), the Environmental Protection Fund Act, S.C. Code Ann. §48-2-50 et seq. (1993), the South Carolina Infectious Waste Management Regulations 61-105 F (4), and the Environmental Protection Fees Regulations 61-30 G (12).

Summary: Ravenel OB/GYN, located in Ravenel, South Carolina, is a medical clinic that generates infectious waste. The Respondent has violated the South Carolina Infectious Waste Regulations as follows: failure to pay their 2004 Annual Infectious Waste Generator Fees in the amount of one hundred fifty dollars (\$150.00).

Action: The Respondent has agreed to: now and in the future, ensure compliance with the Infectious Waste Generator requirements as outlined in R.61-105; pay the 2004 Annual Infectious Waste Fees and outstanding penalties totaling two hundred six dollars and twenty-five cents (\$206.25); and, pay a civil penalty in the amount of two hundred eighteen dollars and seventy-five cents (\$218.75).

3) Order Type and Number: Consent Order 04-06-HW
Order Date: May 24, 2004
Respondent: **Armor Chassis, LLC**
Facility: Armor Chassis, LLC
Location/Mailing Address: 332 Main Street
Suite 100
Greenwood, SC 29646
County: Jasper
Previous Orders: None
Permit Number: SCR 000 007 062
Violations Cited: The South Carolina Hazardous Waste Management Act, §44-56-130(2)(2002), and the South Carolina Hazardous Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-79.262.34(c)(1)(i)/265.171, R.61-79.262.34(c)(1)(i)/265.173(a), R.61-79.262.34(c)(1)(ii), R.61-79.262.34(a)(2), R.61-79.262.34(a)(3), R.61-79.262.34(c)(2), R.61-79.262.34(a)(1)(i)/265.173, R.61-79.262.34(a)(1)(i)/265.175, R.61-79.262.34(a)(1)(i)/265.174, R.61-79.262.11, and, R.61-79.262.34(a)(4)/265.16(c).

Summary: Armor Chassis, LLC (Respondent) manufactures chassis for freight containers. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to ensure that containers holding hazardous waste were in good condition; failure to have its containers holding hazardous waste closed during storage except when it is necessary to add or remove waste; failure to mark its containers either with the words: "Hazardous Waste" or with other words identifying the contents of the containers; failure to store no more than 55 gallons of hazardous waste at or near any point of

generation; failure to label each container with an EPA Hazardous Waste Number; failure to design and operate container storage areas with secondary containment; failure to inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors; failure to accurately determine if a solid waste is a hazardous waste; and, failure to ensure that facility personnel take part in an annual review of the initial training.

Action: The Respondent has agreed to: ensure compliance with the South Carolina Hazardous Waste Management Act and the South Carolina Pollution Control Act, as amended, including all applicable regulations governing the generation of solid and hazardous wastes within the State of South Carolina; ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; ensure that areas where containers are stored are inspected at least weekly; and, ensure that facility personnel take part in an annual review of the initial training. The Respondent claimed a financial hardship and an inability to pay a civil penalty in the amount of sixty-one thousand, five hundred ninety-nine dollars **(\$61,599.00)**. Based upon a complete review of financial documents, the Department **suspended** the civil penalty.

Solid Waste Enforcement

4) Order Type and Number: Consent Order 04-07-SW
Order Date: May 18, 2004
Respondent: **Rommie Gray**
Facility: Rommie Gray Composting Facility
Location/Mailing Address: Clearwater Drive/P.O. Box 1285
Pawley's Island, S.C. 29585
County: Georgetown
Previous Orders: 03-33-SW (\$500)
Permit/ID Number: 222638-3001
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Yard Trash and Land-Clearing Debris; and Compost Regulation, 25A S.C. Code Ann. Reg. 61-107.4.C.2., E.3.1., & F.11.c. (Supp. 2003).

Summary: Mr. Rommie Gray (Respondent) owns and operates the Rommie Gray Composting Facility located on Clearwater Drive near Pawley's Island, South Carolina (Site). The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the Yard Trash and Land-Clearing Debris; and Compost Regulation by failing to provide adequate lanes between piles to allow access of fire fighting equipment in that the lanes were blocked by land-clearing debris.

Action: The Respondent has agreed to: post closure signs at the facility; remove and properly dispose of all wood debris on the site and forward all

disposal receipts to the Department; grade and seed the site to prevent erosion; continue to control access to the facility; submit a letter to the Department requesting termination of its composting registration upon completion and Department approval of site closure; and, pay a civil penalty in the amount of two thousand dollars (\$2,000.00).

Underground Storage Tank Enforcement

- 5) Order Type and Number: Administrative Order 03-4874-UST
 Order Date: January 22, 2004
 Respondent: **Ronnie Floyd**
 Facility: New Zion Dog Food Center
 Location/Mailing Address: Rds. 36 & 37
 New Zion, S.C. 29111
 County: Clarendon
 Previous Orders: AO 98-0261-UST (\$0)
 Permit/ID Number: 02460
 Violations Cited: UST Control Regulations, R.61-92,
 §280.65 (a); R.61-92, §280.65(b).

Summary: Ronnie Floyd (Respondent) owned and operated underground storage tanks located at Roads 36 & 37 at New Zion Crossroads, New Zion, SC. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department; and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of thirteen thousand eight hundred dollars (**\$13,800.00**) when it became clear that the Respondent did not intend to enter into a Consent Order or come into compliance by submitting the required assessment report. The Administrative Order was not appealed.

- 6) Order Type and Number: Administrative Order 02-3117-UST
 Order Date: January 22, 2004
 Respondent: **JMR Enterprises, Inc.**
 Facility: Harvey Grocery
 Location/Mailing Address: 812 Trask Parkway
 Sheldon, S.C. 29411
 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 15571
 Violations Cited: UST Control Regulations, R.61-92,
 §280.20(g); R.61-92, §280.93(a); R.61-92, §280.34(a); R.61-92,
 §280.110(c).

Summary: JMR Enterprises, Incorporated owns underground storage tanks located at 812 Trask Parkway, Sheldon, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install secondary containment on an underground storage tank system that is less than 100 feet from an existing water supply well; failure to demonstrate financial responsibility as required by the Department; and failure to submit records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of six thousand six hundred dollars **(\$6,600.00)** when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance by demonstrating financial responsibility and correcting the compliance violations. The Administrative Order was not appealed.

7) Order Type and Number: Administrative Order 98-0293-UST
Order Date: April 18, 2004
Respondent: **Andrew Johnson**
Facility: Bowman's Supermarket
Location/Mailing Address: 211 Smith Street
Bowman, SC 29018
County: Orangeburg
Previous Orders: None
Permit/ID Number: 16413
Violations Cited: SUPERB Act 44-2-60(A); UST Control Regulations, R.61-92, §280.93(a); R.61-92, §280.70(c); R.61-92, §280.34(c).

Summary: Andrew Johnson (Respondent) owns and operated underground storage tanks located at 211 Smith Street, Bowman, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to pay annual registration fees, failure to demonstrate financial responsibility, failure to properly abandon a temporarily closed system after 12 months and submit an assessment report, and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of nine thousand two hundred fifty dollars **(\$9,250.00)** when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by submitting release detection records. The Administrative Order was not appealed.

8) Order Type and Number: Administrative Order 02-1686-UST
Order Date: April 29, 2004
Respondent: **Williams Enterprises of Ridgeville**
Facility: Williams Plaza
Location/Mailing Address: Hwy 27, 2 miles east of I-26

Ridgeville, SC 29472
County: Berkeley
Previous Orders: None
Permit/ID Number: 10864
Violations Cited: SUPERB Act 44-2-60(A); UST Control Regulations, R.61-92, §280.31(b); R.61-92, §280.93(a); R.61-92, §280.34(c).

Summary: Williams Enterprises of Ridgeville, Inc. (Respondent) owns and operated underground storage tanks at Hwy. 27, 2 miles east of I-26 in Ridgeville, S.C. The Respondent has violated the State Underground Petroleum Environmental Response Bank (SUPERB) Act and the South Carolina Underground Storage Tank Control Regulations as follows: failure to pay annual registration fees, failure to have the cathodic protection system inspected by a qualified tester every three years, failure to demonstrate financial responsibility, and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of four thousand five hundred seventy five dollars (**\$4,575.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by submitting the required documentation and paying overdue registration fees. The Administrative Order was not appealed.

9) Order Type and Number: Administrative Order 98-0252-UST
Order Date: March 29, 2004
Respondent: **Lloyd Cannady**
Facility: Lloyd Cannady's Place
Location/Mailing Address: Hwy 28 South
Parksville, S.C. 29844
County: McCormick
Previous Orders: None
Permit/ID Number: 06437
Violations Cited: UST Control Regulations, R.61-92, §280.72(a), R.61-92, §280.72(c), R.61-92, §280.93(a), R.61-92, §280.110(c), SUBPERB Act 44-2-60(A).

Summary: Lloyd Cannady (Respondent) owned and operated underground storage tanks located at Highway 28 South, McCormick, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to conduct and submit a closure assessment, failure to demonstrate financial responsibility, failure to supply records to the Department upon request, and failure to pay annual tank registration fees of two thousand six hundred sixty-eight dollars (\$2,668.00).

Action: The Department issued an Administrative Order with a civil penalty of four thousand seven hundred dollars (**\$4,700.00**) when it became clear

that the Respondent did not intend to enter into a Consent Order or come into compliance by submitting a closure assessment report and financial responsibility documentation, and paying the tank registration fees. The Administrative Order was not appealed.

- 10) Order Type and Number: Administrative Order 03-0208-UST
 Order Date: March 29, 2004
 Respondent: **Charles Gaymon**
 Facility: Island Tire Service, Inc.
 Location/Mailing Address: 4 Palmetto Bay Rd.
 Hilton Head Is, S.C. 29928

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 01005
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a); R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: Charles Gaymon (Respondent) owns and operates underground storage tanks located at 4 Palmetto Bay Road, Hilton Head Island, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain the corrosion protection equipment continuously, failure to provide an adequate release detection method, and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of five thousand one hundred seventy-five dollars (**\$5,175.00**) when it became clear that the Respondent did not intend to enter into a Consent Order or come into compliance by submitting to the Department the last 12 months of release detection records and proof that the sumps have been emptied of water to prevent corrosion of the metal pipe connectors. The Administrative Order was not appealed.

- 11) Order Type and Number: Administrative Order 03-4667-UST
 Order Date: March 29, 2004
 Respondent: **Robert Smith**
 Facility: Johnston BP
 Location/Mailing Address: 318 Lee St.
 Johnston, S.C. 29832

 County: Edgefield
 Previous Orders: None
 Permit/ID Number: 13047
 Violations Cited: UST Control Regulations, R.61-92,
 §280.70(c); R.61-92, §280.72(a); R.61-92, §280.72(c); SUBPERB Act 44-
 2-60(A).

Summary: Robert Smith (Respondent) owns underground storage tanks located at 318 Lee Street, Johnston, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to properly close out-of-use tanks, failure to conduct a closure assessment, failure to supply records to the Department upon request, and failure to pay annual tank registration fees of one thousand nine hundred thirty-six dollars (\$1,936.00).

Action: The Department issued an Administrative Order with a civil penalty of nine thousand dollars (**\$9,000.00**) when it became clear that the Respondent did not intend to enter into a Consent Order or come into compliance by properly closing the tanks, submitting a closure assessment report, and paying the tank registration fees. The Administrative Order was not appealed.

BUREAU OF WATER

Drinking Water Enforcement

12)	<u>Order Type and Number:</u>	Administrative Order 04-024-DW
	<u>Order Date:</u>	February 20, 2004
	<u>Respondent:</u>	Jeff Tucker
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	1063 Gary Goff Road Elgin, S.C. 29045
	<u>County:</u>	Kershaw
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-1(F)(11)(a)

Summary: Jeff Tucker (Respondent) is in the business of well and pump repair. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to properly seal a well by leaving the casing unsealed.

Action: The Respondent was ordered to: cease any well operations that do not meet the minimum requirements of the South Carolina Well Standards and Regulations; comply with all pertinent State rules and regulations concerning well construction and permitting; and within 30 days of the Order date, pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

13)	<u>Order Type and Number:</u>	Consent Order 04-058-DW
	<u>Order Date:</u>	April 6, 2004
	<u>Respondent:</u>	Total Environmental Solutions, Inc.
	<u>Facility:</u>	Foxwood Hills Subdivision Public Water System (PWS)

<u>Location/Mailing Address:</u>	2299 Dr. John's Road Westminster, S.C. 29693
<u>County:</u>	Oconee
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3750025
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: Total Environmental Solutions, Inc. (Respondent), located in Westminster, South Carolina, owns and is responsible for the operation and maintenance of the PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; within 60 days of the Order date, correct all deficiencies listed in the 2003 Sanitary Survey; have a State Registered Professional Engineer evaluate the storage tank and submit a Corrective Action Plan (CAP) to include a schedule of compliance for repairing and maintaining the storage tank; within 90 days of the Order date, prepare a General Operations and Maintenance Procedures Manual; and within 30 days of the Order date, pay a civil penalty in the amount of two thousand eight hundred dollars **(\$2,800.00)**.

14)	<u>Order Type and Number:</u>	Consent Order 04-062-DW
	<u>Order Date:</u>	April 1, 2004
	<u>Respondent:</u>	Wedgefield Stateburg Water District
	<u>Facility:</u>	Wedgefield Stateburg PWS
	<u>Location/Mailing Address:</u>	P.O. Box 158 Wedgefield, S.C. 29168
	<u>County:</u>	Sumter
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	4320002
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-8.5.D(2)
	(b)(vii)	

Summary: The Wedgefield Stateburg Water District (Respondent) owns and is responsible for the operation and maintenance of a PWS located in Wedgefield, South Carolina. The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for ethylene dibromide (EDB).

Action: The Respondent has agreed to: comply with all applicable State and Federal laws and regulations; within 60 days of the Order date, provide further laboratory analyses reports of samples collected at the bottom of each well during source-finding attempts; within 120 days of the Order date, submit a

Preliminary Engineering Report (PER) detailing the proposed alternatives to the PWS water source, and/or improvements to the PWS treatment processes to remove and ensure ongoing compliance with the EDB MCL; within 180 days of the Order date, develop a Business Plan (BP) to address the current and future needs of the PWS; within 30 days of the approval of the PER, submit monthly progress reports; and pay a **stipulated penalty** of five thousand dollars **(\$5,000.00)** if it fails to meet any requirement in this Order.

- 15) Order Type and Number: Consent Order 04-063-DW
 Order Date: April 1, 2004
 Respondent: **Jethro Beauford**
 Facility: M & B Community Mart PWS
 Location/Mailing Address: 2190 Santee River Road
 Alvin, S.C. 29749

 County: Berkeley
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. Regs. 61-30.G, 61-58.5.C, 61-58-5.G and 61-58.6.E(2)

Summary: Jethro Beauford (Respondent) d/b/a M & B Community Mart owns and is responsible for the operation and maintenance of a PWS located in Alvin, South Carolina. The Respondent has violated the Environmental Protection Fee Regulations and the State Primary Drinking Water Regulations as follows: failure to submit drinking water fees for fiscal years 2003 and 2004, failure to monitor for nitrates and bacteriological contaminants during 2003, and failure to issue public notification for non-monitoring violations.

Action: The Respondent has agreed to: comply with all applicable State and Federal laws and regulations; pay the remaining three hundred thirty-eight dollars and sixty-six cents (\$338.66) of the drinking water fees in 12 monthly installments; and pay a **stipulated penalty** of one thousand five hundred dollars **(\$1,500.00)** if he fails to meet any requirement in this Order.

- 16) Order Type and Number: Consent Order 04-064-DW
 Order Date: April 1, 2004
 Respondent: **Ben Hamilton**
 Facility: Store & Grill PWS
 Location/Mailing Address: 6883 West Frontage Road
 Coosawhatchie, S.C. 29936

 County: Jasper County
 Previous Orders: None
 Permit/ID Number: 2772002
 Violations Cited: S.C. Code Ann. Regs. 61-30 (G)(2),
 61-58.5 (C)(2)(c), (G)(1)(c) and 61-58.6 (E)

Summary: Ben Hamilton (Respondent) d/b/a Store & Grill is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to perform the required annual nitrate and quarterly bacteriological monitoring for the 2003 monitoring period, failure to issue public notification; and failure to submit drinking water fees for the 2003 and 2004 fiscal years.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; issue the public notification within 5 days of the Order date; pay the balance of the drinking water fees of six hundred eight-seven dollars and fifty-cents (\$687.50) in quarterly installments; and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) if he fails to meet any requirement in this Order.

17)	<u>Order Type and Number:</u>	Consent Order 04-066-DW
	<u>Order Date:</u>	April 1, 2004
	<u>Respondent:</u>	Airport Properties, Inc.
	<u>Facility:</u>	Sandcastle Resort at the Pavilion
	<u>Location/Mailing Address:</u>	1802 North Ocean Blvd. Myrtle Beach, S.C. 29577
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-J87 C
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Airport Properties, Inc. (Respondent) operates the Sandcastle Resort at the Pavilion public swimming pool, located in Myrtle Beach, South Carolina. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain a public swimming pool.

Action: The Respondent has agreed to: comply with all applicable State laws and regulations concerning public swimming pools; within 30 days of the Order date, provide an Operations Plan for the 2004 pool season; pay a civil penalty in the amount of eight hundred and forty dollars (**\$840.00**); and contact the Waccamaw EQC District for a pre-season inspection prior to opening for the 2004 swimming pool season.

18)	<u>Order Type and Number:</u>	Consent Order 04-069-DW
	<u>Order Date:</u>	April 6, 2004
	<u>Respondent:</u>	Eddie Harper
	<u>Facility:</u>	Hillview Mobile Home Park (MHP)
	<u>Location/Mailing Address:</u>	P.O. Box 912 Lincolnton, GA 30817
	<u>County:</u>	Aiken

<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	260016
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.1.K(1) and 61-58.7.

Summary: Eddie Harper (Respondent) d/b/a Hillsvievw MHP owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain final approval to operate an emergency constructed well and failure to properly operate and maintain his PWS.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal regulations; within 45 days of the Order date, submit the as-built construction package for the emergency constructed well; within 10 days of the approval of the as-built construction package, contact the Lower Savannah EQC District to request a final inspection of the well; within 60 days of the Order date, correct all deficiencies listed in the 2003 Sanitary Survey; within 30 days of the Order date, pay a civil penalty in the amount of seven hundred dollars (**\$700.00**); and pay a **stipulated penalty** of seven hundred dollars (**\$700.00**) if he fails to meet any requirements in this Order.

19)	<u>Order Type and Number:</u>	Consent Order 04-072-DW
	<u>Order Date:</u>	April 6, 2004
	<u>Respondent:</u>	Utilities Services of South Carolina
	<u>Facility:</u>	Washington Heights PWS
	<u>Location/Mailing Address:</u>	P.O. Box 4509 West Columbia, S.C. 29171
	<u>County:</u>	Richland
	<u>Previous Orders:</u>	01-209-DW Idlewood (\$0) 03-210-W Country Oaks (\$4,200) 03-211-W Shandon (\$4,200) 02-220-W Gem Lakes (\$130,500) 02-208-W Trollingwood (\$2,800) 02-207-W Canterbury (\$2,800) 02-182-W Kings Grant (\$0) 02-157-W Kings Grant (\$8,400) 02-109-W Watergate (\$4,200) 02-037-W Lamplighter (\$5,600) 01-165-W United Utilities (\$8,000) 01-100-W Teal on the Ashley (\$40,000) 01-095-W Glenn Village (\$7,000) 00-039-W I-20 (\$14,000)
	<u>Permit/ID Number:</u>	4050013
	<u>Violations Cited:</u>	S.C. Code Ann. Reg. 61-58.7

Summary: Utilities Services of South Carolina, Inc. (Respondent) owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS due to the current number of service connections exceeding the system's capacity with the largest well out of service.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; by April 21, 2004, notify the Department in writing of its intent to resolve the system's capacity deficiencies by either interconnecting with another approved PWS on or before January 1, 2005, installing a new well on or before September 1, 2005, or redeveloping the existing well(s) by December 15, 2004; and pay a **stipulated penalty** in the amount of three thousand dollars (**\$3,000.00**) if it fails to meet any requirement in this Order.

20)	<u>Order Type and Number:</u>	Consent Order 04-073-DW
	<u>Order Date:</u>	April 6, 2004
	<u>Respondent:</u>	Utilities Services of South Carolina
	<u>Facility:</u>	Farrowood Estates
	<u>Location/Mailing Address:</u>	P.O. Box 4509 West Columbia, S.C. 29171
	<u>County:</u>	Richland
	<u>Previous Orders:</u>	Same as Item 19
	<u>Permit/ID Number:</u>	4050012
	<u>Violations Cited:</u>	S.C. Code Ann. Reg. 61-58.7

Summary: Utilities Services of South Carolina, Inc. (Respondent) owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS due to the current number of service connections exceeding the system's capacity with the largest well out of service.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; by April 21, 2004, notify the Department in writing of its intent to resolve system capacity deficiencies by either connecting with another approved PWS on or before September 1, 2004, installing a new well on or before July 1, 2005, or redeveloping the existing well(s) by August 1, 2004; and pay a **stipulated penalty** in the amount of three thousand dollars (**\$3,000.00**) if it fails to meet any requirement in this Order.

21)	<u>Order Type and Number:</u>	Consent Order 04-074-DW
	<u>Order Date:</u>	April 6, 2004
	<u>Respondent:</u>	Utilities Services of South Carolina
	<u>Facility:</u>	Lakewood Estates PWS
	<u>Location/Mailing Address:</u>	P.O. Box 4509

<u>County:</u>	West Columbia, S.C. 29171
<u>Previous Orders:</u>	Lexington
<u>Permit/ID Number:</u>	Same as Items 19 and 20
<u>Violations Cited:</u>	3250005
	S.C. Code Ann. Reg. 61-58.7

Summary: Utilities Services of South Carolina, Inc. (Respondent) owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS by failing to supply an adequate quantity of water for the number of service connections.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; by April 21, 2004, notify the Department in writing of its intent to resolve the system's capacity deficiencies by either connecting with another approved PWS on or before September 1, 2004, or installing a new well on or before October 1, 2004; and pay a **stipulated penalty** in the amount of three thousand dollars (**\$3,000.00**) if it fails to meet any requirement in this Order.

22) <u>Order Type and Number:</u>	Administrative Order 04-075-DW
<u>Order Date:</u>	April 6, 2004
<u>Respondent:</u>	Isaiah Kelly
<u>Facility:</u>	Kelly's Store
<u>Location/Mailing Address:</u>	1515 Old Wire Road West Bennettsville, S.C. 29512
<u>County:</u>	Marlboro
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3470907
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-30.G, 61-58.5(C), 61-58.5(G), and 61-58.6

Summary: Isaiah Kelly (Respondent) owns and is responsible for the operation and maintenance of a PWS located in Bennettsville, South Carolina. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fees regulation as follows: failure to perform the required annual nitrate and quarterly bacteriological monitoring and issue public notification for the calendar years 2002 and 2003; and failure to submit drinking water fees for the 2002, 2003, and 2004 fiscal years.

Action: The Respondent was ordered to: issue public notification for non-monitoring of nitrate and bacteriological contaminants and to submit copies of the public notification to the Department; pay the balance of all outstanding drinking water fees in the amount of one thousand thirty-one dollars and twenty-five cents (\$1,031.25); and pay a civil penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**).

23) Order Type and Number: Consent Order 04-081-DW
 Order Date: April 28, 2004
 Respondent: **Dan Daniels**
 Facility: Hickory Springs Water Co., Inc.
 Location/Mailing Address: 347 Old River Road
 Elloree, S.C. 29047
 County: Calhoun
 Previous Orders: None
 Permit/ID Number: 0973001
 Violations Cited: S.C. Code Ann. Regs. 61-58.1(B)(1)
 and 61-58.7(K)

Summary: Hickory Springs Water Co., Inc. (Respondent), located in Elloree, S.C., owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain a permit prior to modifying the PWS by adding an unapproved 40,000 gallon storage tank to its system and failure to obtain Department approval to operate the modified PWS.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal regulations; disconnect the storage tank until final approval to operate is given; within 30 days of the Order date, submit the as-built plans for the PWS; within 10 days of the approval of the as-built plans, submit a construction permit application for the addition of the storage tank; within 10 days of completing the addition of the storage tank, contact the Lower Savannah EQC District to request a final inspection; and within 30 days of the Order date, pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**). The penalty has been paid.

24) Order Type and Number: Consent Order 04-090-DW
 Order Date: April 28, 2004
 Respondent: **Ann & Ernest Rivers**
 Facility: Rivers Grocery PWS
 Location/Mailing Address: 326 Charleston Highway
 Yemassee, S.C. 29945
 County: Beaufort County
 Previous Orders: None
 Permit/ID Number: 0770928
 Violations Cited: S.C. Code Ann. Regs. 61-30(G)(2),
 61-58.5 (C)(2)(c), 61-58.5(G)(1)(c), and 61-58.6(E),

Summary: Ann & Ernest Rivers (Respondents) d/b/a Rivers Grocery are responsible for the operation and maintenance of a PWS. The Respondents have violated the State Primary Drinking Water Regulations and the Environmental Protection Fees Regulation as follows: failure to perform the required annual nitrate and quarterly bacteriological monitoring and issue public notification for

the 2003 monitoring period; and failure to submit the drinking water fees for the 2003 and 2004 fiscal years.

Action: The Respondents have agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; pay the balance of the drinking water fees of six hundred eighty-seven dollars and fifty cents (\$687.50) in quarterly installments; and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) if they fail to meet any requirement of this Order.

25) Order Type and Number: Consent Order 04-091-DW
Order Date: April 22, 2004
Respondent: **Frances Rowl, Jr.**
Facility: Sedgewood Country Club
Location/Mailing Address: 9560 Garners Ferry Rd.
Hopkins, S.C. 29061
County: Richland
Previous Orders: None
Permit/ID Number: 4070876
Violations Cited: S.C. Code Ann. Regs. 61-30(G),
61-58.5(C)(10), 61-58.5(G), and 61-58.6(E)

Summary: Frances Rowl Jr., (Respondent) d/b/a Sedgewood Country Club located in Hopkins, South Carolina, owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to perform the required annual nitrate and quarterly bacteriological monitoring and issue public notification for the 2003 monitoring period; and failure to submit the drinking water fees for the 2003 fiscal year.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; within 30 days of the Order date, issue public notice to the customers and employees of the Sedgewood Country Club; pay the balance of the drinking water fees which total three hundred forty-three dollars and seventy-five cents (\$343.75); and pay a **stipulated penalty** of eight hundred fifty dollars (**\$850.00**) if he fails to meet any requirement in this Order. The Respondent has paid the balance of the drinking water fees.

26) Order Type and Number: Consent Order 04-092-DW
Order Date: April 28, 2004
Respondent: **Steven D. Thomas**
Facility: Reynolds Road PWS
Location/Mailing Address: 580 Bonanza Drive
Spartanburg, S.C. 29307

County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. § 44-55-40(A), S.C. Code Ann. Regs. 61-58.1(B)(1) and (K)(1).

Summary: Steven D. Thomas (Respondent) owns and is responsible for the construction and operation of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain a permit for the construction of a PWS and failure to obtain approval prior to placing a PWS into operation.

Action: The Respondent has agreed to: obtain the appropriate permits and approvals to construct and operate a PWS; within 30 days of the Order date, submit a copy of the Bill of Sale, or similar document, as proof of the transfer of ownership of the PWS; and pay a **stipulated penalty** of eight thousand dollars (**\$8,000.00**) if he fails to meet any requirement in this Order.

27) Order Type and Number: Administrative Order 04-027-DW
Order Date: February 20, 2004
Respondent: **Ashley Acres, Inc.**
Facility: Ashley Acres, Inc. Mobile Home Park Public Water System
Location/Mailing Address: P.O. Box 6285
Columbia, S.C. 29260
County: Richland
Previous Orders: 03-245-DW (Emergency Order)
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-30(G)(2), 61-58.5(C)(10), 61-58.12, and 61-58.6(E)(4)

Summary: Ashley Acres, Inc. (Respondent), owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to properly prepare, deliver and certify the Consumer Confidence Report (CCR) for the calendar year 2001, failure to perform the required annual nitrate monitoring and issue public notification for the calendar years 2002 and 2003; and failure to submit the drinking water fees for 2002, 2003, and 2004 fiscal years.

Action: The Respondent was ordered to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; pay the balance of the drinking water fees in the amount of five thousand two hundred forty-two dollars and eighty-nine cents (\$5,242.89); issue public notification; and pay a civil penalty in the amount of eleven thousand dollars (**\$11,000.00**). The civil penalty has been paid.

28)	<u>Order Type and Number:</u>	Consent Order 04-093-DW
	<u>Order Date:</u>	May 6, 2004
	<u>Respondent:</u>	Town of Branchville
	<u>Facility:</u>	Town of Branchville PWS
	<u>Location/Mailing Address:</u>	P.O. Box 85 Branchville, S.C. 29432
	<u>County:</u>	Orangeburg
	<u>Previous Orders:</u>	01-173-W (\$5,600)
	<u>Permit/ID Number:</u>	38WS007
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 49-5-90(A)

Summary: The Town of Branchville (Respondent) owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Groundwater Use and Reporting Act as follows: failure to submit the annual quantity of groundwater withdrawn for the 2003 reporting period.

Action: The Respondent has agreed to: operate and maintain the groundwater wells and report groundwater withdrawal in accordance with the Groundwater Withdrawal Permit and State Regulations; pay a civil penalty in the amount of four hundred dollars (**\$400.00**); and submit the completed Water Use Report Form for the 2003 reporting period. The civil penalty has been paid and the Water Use Report Form for 2003 has been submitted.

29)	<u>Order Type and Number:</u>	Consent Order 04-098-DW
	<u>Order Date:</u>	May 5, 2004
	<u>Respondent:</u>	Myrtlecrest Residential Care, LLC
	<u>Facility:</u>	Myrtlecrest Residential Care
	<u>Location/Mailing Address:</u>	P.O. Box 9098 Columbia, S.C. 29207
	<u>County:</u>	Richland
	<u>Previous Orders:</u>	02-148-DW (\$0)
	<u>Permit/ID Number:</u>	4070910
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-30(G), 61-58.5(C)(10) and 61-58.6(E)

Summary: Myrtlecrest Residential Care, LLC (Respondent) located in Columbia, South Carolina, owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to perform the annual nitrate monitoring; failure to issue public notification; and failure to submit drinking water fees for fiscal year 2003.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; pay the balance of the drinking water fees totaling six hundred thirty-six dollars and sixty-

three cents (\$636.63); and pay a civil penalty in the amount of seven hundred dollars (**\$700.00**).

- 30) Order Type and Number: Consent Order 04-099-DW
 Order Date: May 13, 2004
 Respondent: **Warren Jenkins**
 Facility: Winnsboro Lakes Section II
 Location/Mailing Address: 1002 Scotland Drive
 Mt. Pleasant, S.C. 29464
 County: Charleston
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: S.C. Code Ann. Regs. 61-58.1(B)(1)

Summary: Warren Jenkins (Respondent) owns and is responsible for the operation and maintenance of a PWS. E. M. Seabrook, Jr., Inc. is the project engineer for the Respondent. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain a permit to construct prior to beginning construction of the PWS.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; and obtain a Department approved permit to construct. E. M. Seabrook, Jr., has agreed to pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**). The civil penalty has been paid.

- 31) Order Type and Number: Consent Order 04-101-DW
 Order Date: May 14, 2004
 Respondent: **Robert Kennerly**
 Facility: Kennerly's Snack Shop
 Location/Mailing Address: P.O. Box 322
 Elloree, S.C. 29047
 County: Orangeburg
 Previous Orders: None
 Permit/ID Number: 3872009
 Violations Cited: S.C. Code Ann. Regs. 61-30(G), 61-58.5(C)(10), 61-58.5(G) and 61-58.6(E)

Summary: Robert Kennerly (Respondent), d/b/a Kennerly's Snack Shop located in Elloree, South Carolina, owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to perform the required annual nitrate and quarterly bacteriological monitoring; failure to issue public notification; and failure to submit drinking water fees for fiscal years 2003 and 2004.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; issue public notification; pay the balance of the drinking water fees totaling six hundred eighty-seven dollars and fifty cents (\$687.50); and pay a **stipulated penalty** of eight hundred fifty dollars (**\$850.00**) if he fails to meet any requirement in this Order.

32) Order Type and Number: Consent Order 04-104-DW
 Order Date: May 24, 2004
 Respondent: **Woodside Plantation Country Club**
 Facility: Woodside Plantation Country Club
 Location/Mailing Address: 1000 Plantation Drive
 Aiken, S.C. 29803

 County: Aiken
 Previous Orders: None
 Permit/ID Number: 02GC007
 Violations Cited: S.C. Code Ann. Regs. § 49-4-50(A)

Summary: Woodside Plantation Country Club (Respondent) is responsible for the operation and maintenance of a surface water withdrawal system. The Respondent has violated the Surface Water Withdrawal and Reporting Act as follows: failure to submit the annual quantity of surface water withdrawn for the 2003 reporting period.

Action: The Respondent has agreed to: operate and maintain its surface water withdrawal system and report surface water withdrawals in accordance with State regulations; submit the completed 2003 Water Use Report form; and pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

Water Pollution Enforcement

33) Order Type and Number: Consent Order 04-059-W
 Order Date: April 1, 2004
 Respondent: **Crossings Development, L.L.C.**
 Facility: Crossings Development
 Location/Mailing Address: 151 Meeting Street
 Charleston, S.C. 29401

 County: Richland
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: S.C. Code Ann. § 48-1-90(a) and
 S.C. Code Ann. Regs. 61-9.122.26(b)(14)(x)

Summary: Crossings Development, L.L.C. (Respondent) owns and is responsible for land-disturbing activities at the Crossings Development (Site). The Respondent has violated the Pollution Control Act and the Water Pollution

Control Permit Regulations as follows: discharged sediment into waters of the State and initiated land-disturbing activities prior to obtaining a permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; within 60 days of the Order date, apply for a storm water permit; within 60 days of Department approval of the storm water permit, submit a report, completed by a State Registered Professional Engineer, certifying that all storm water controls have been installed and are properly functioning; and within 30 days of the Order date, pay a civil penalty in the amount of twenty-five thousand dollars (**\$25,000.00**).

34)	<u>Order Type and Number:</u>	Consent Order 04-060-W
	<u>Order Date:</u>	April 1, 2004
	<u>Respondent:</u>	The Martin Group, L.L.C.
	<u>Facility:</u>	Martin Mine
	<u>Location/Mailing Address:</u>	P.O. Box 6039 North Augusta, S.C. 29861
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	Certificate Number: SCR105514
	<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90 (a) and S.C. Code Ann. Regs. 61-9.122.41(a) and (e)

Summary: The Martin Group, L.L.C. (Respondent) owns and is responsible for land-disturbing activities at the Martin Mine (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: discharged sediment into waters of the State and failed to comply with all permit conditions as required in the National Pollutant Discharge Elimination System (NPDES) permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal regulations; within 60 days of the Order date, submit a revised storm water plan, to include the un-permitted portion; within 60 days of Department approval of the storm water plan, submit a report, completed by a State Registered Professional Engineer, certifying that all storm water controls have been installed and are properly functioning; and pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**).

35)	<u>Order Type and Number:</u>	Consent Order 04-061-W
	<u>Order Date:</u>	April 1, 2004
	<u>Respondent:</u>	Landcraft Properties, Inc.
	<u>Facility:</u>	The Reserve at Riverside Phase II
	<u>Location/Mailing Address:</u>	7 North Laurens Street, Suite 508 Greenville, S.C. 29601

County: Greenville
Previous Orders: 01-109-W Shelburne Farms (\$6500)
01-110-W Spring Crossing (\$6500)
Permit/ID Number: SCR105626
Violations Cited: S.C. Code Ann. § 48-1-90 (a) and
S.C. Code Ann. Regs 61-9.122.41(a) and (e)

Summary: Landcraft Properties, Inc. (Respondent) owns and is responsible for the land-disturbing activities at the Reserve at Riverside Phase II (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: discharged sediment into waters of the State and failed to comply with all permit conditions as required in the NPDES permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal regulations; within 60 days of the Order date, submit a report, completed by a State Registered Professional Engineer, certifying that all storm water controls have been installed and are properly functioning; and pay a civil penalty in the amount of eleven thousand two hundred dollars **(\$11,200.00)** in quarterly installments.

36) Order Type and Number: Consent Order 04-067-W
Order Date: April 6, 2004
Respondent: **Dr. Flush, Inc.**
Facility: N/A
Location/Mailing Address: 200 Ford Street
Greer, S.C. 29650
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. § 48-1-90 (a)

Summary: Dr. Flush, Inc. (Respondent) pumps and transports septage. The Respondent has violated the Pollution Control Act as follows: discharged septage from the septage hauling vehicle into the environment.

Action: The Respondent has agreed to: dispose of all waste in accordance with Department regulations and guidelines; publish an apology to the citizens of South Carolina in the Spartanburg-Herald Journal newspaper for illegally disposing the septage into the environment; and pay a civil penalty in the amount of four thousand eight hundred fifty dollars **(\$4,850.00)** in quarterly installments.

37) Order Type and Number: Consent Order 04-068-W
Order Date: April 6, 2004

Respondent: **Moon-McManus Builders and Developers**
Facility: Chestnut Hill Plantation Subdivision
Location/Mailing Address: 306 W Poinsett Street
Greer, S.C. 29651
County: Greenville
Previous Orders: None
Permit/ID Number: SCR104702
Violations Cited: S.C. Code Ann. § 48-1-90 (a) and S.C. Code Ann. Regs 61-9.122.41(a) and (e)

Summary: Moon-McManus Builders and Developers (Respondent) own and are responsible for the land-disturbing activities at the Chestnut Hill Plantation (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: discharged sediment into waters of the State and failed to comply with all permit conditions as required in the NPDES permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal regulations; within 30 days of the Order date, submit a report, completed by a State Registered Professional Engineer, certifying that all storm water controls have been installed in accordance with the approved Plan and are properly functioning; and pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**) in quarterly payments.

38) Order Type and Number: Consent Order 04-070-W
Order Date: April 22, 2004
Respondent: **Springfield Manufacturing, L.L.C.**
Facility: Springfield Manufacturing
Location/Mailing Address: 901 Ultra Drive
Clover, S.C. 29710
County: York
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Springfield Manufacturing, L.L.C. (Respondent) owns and is responsible for a machine parts manufacturing business. The Respondent violated the Pollution Control Act as follows: discharged wastewater (roof drain water, non-contact cooling water and filtered cutting water) into the environment.

Action: The Respondent has agreed to: submit written confirmation that the pipe leading to the tributary has been sealed and pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**). The civil penalty has been paid.

39) Order Type and Number: Consent Order 04-071-W
 Order Date: April 22, 2004
 Respondent: **Performance Marketing Systems, Inc.**

 Facility: Bradburry Place Subdivision
 Location/Mailing Address: 105 Bradley Street
 Clemson, S.C. 29631

 County: Oconee
 Previous Orders: None
 Permit/ID Number: 37-00-12-01
 Violations Cited: S.C. Code Ann. § 48-1-90(a), S.C.
 Code Ann. Regs 61-9.122.26(b)(14)(x) and 72-307.B

Summary: Performance Marketing Systems, Inc. (Respondent) owns and is responsible for land-disturbing activities at the Bradburry Place Subdivision (Site). The Respondent has violated the South Carolina Stormwater Management and Sediment Control Regulation, Water Pollution Control Permit Regulations and the Pollution Control Act as follows: failure to properly operate and maintain all facilities and systems of treatment and control, initiated land-disturbing activities prior to obtaining the proper permits and discharged sediment into waters of the State.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal regulations; within 30 days of the Order date, submit a report, completed by a State Registered Professional Engineer, certifying that all storm water controls have been installed in accordance with the approved plan and are properly functioning; and pay a civil penalty in the amount of nine thousand one hundred dollars (**\$9,100.00**) in quarterly installments.

40) Order Type and Number: Consent Order 04-076-W
 Order Date: April 13, 2004
 Respondent: **Laurel Baye Health Care Center**
 Facility: Laurel Baye Health Care Center
 Location/Mailing Address: P.O. Box 33
 Blackville, S.C. 29817

 County: Barnwell
 Previous Orders: None
 Permit/ID Number: ND0067024
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 S.C. Code Ann. Regs. 61-9.505.41(a)

Summary: Laurel Baye Health Care Center (Respondent) owns and operates a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for biochemical oxygen demand (BOD), flow and pH.

Action: The Respondent has agreed to: submit a Preliminary Engineering Report (PER) for construction of facilities necessary to achieve compliance with the Land Application Permit; submit a CAP for an employee training program; and pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)** in quarterly installments.

- 41) Order Type and Number: Consent Order 04-077-W
 Order Date: April 13, 2004
 Respondent: **Shanti Hospitality, Inc.**
 Facility: Budget Inn-Economy Lodge WWTF
 Location/Mailing Address: 5505 Highway 187
 Anderson, S.C. 29625

 County: Anderson
 Previous Orders: None
 Permit/ID Number: SC0023311
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 S.C. Code Ann. Regs. 61-9.122.41(e) and (j)(3)

Summary: Shanti Hospitality, Inc. (Respondent), located in Anderson, South Carolina, owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to submit administratively complete discharge monitoring reports (DMRs) and failure to properly operate and maintain the WWTF.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a CAP addressing DMR submittal; submit a diagnostic evaluation (DE) of the WWTF; submit a PER if required by the DE with a schedule for the construction of necessary upgrades; and pay a civil penalty in the amount of six thousand four hundred dollars **(\$6,400.00)** in quarterly installments.

- 42) Order Type and Number: Consent Order 04-082-W
 Order Date: April 22, 2004
 Respondent: **Honeywell Nylon, Inc.**
 Facility: Clemson Plant WWTF
 Location/Mailing Address: P.O. Box 669
 Central, S.C. 29630

 County: Pickens
 Previous Orders: None
 Permit/ID Number: SC0000302
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Honeywell Nylon, Inc. (Respondent), located in Central, South Carolina, owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to meet NPDES Permit limits for fecal coliform bacteria, BOD, total suspended solids (TSS) and ammonia-nitrogen (NH₃-N).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a summary of corrective actions taken to date; submit a CAP with a schedule detailing measures to be taken to prevent future effluent limits violations; and pay a civil penalty in the amount of twelve thousand six hundred dollars (**\$12,600.00**).

43) Order Type and Number: Consent Order 04-083-W
Order Date: April 26, 2004
Respondent: **Carolina Water Service, Inc.**
Facility: Pocalla Village – Belk Subdivision
Location/Mailing Address: P.O. Drawer 4509
West Columbia, S.C. 29171-4509
County: Sumter
Previous Orders: 02-037-W Lamplighter (\$5,600)
01-095-W Glenn Village (\$7,000)
00-075-DW Landings (\$0)
Permit/ID Number: SC0030724
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Carolina Water Service, Inc. (Respondent) owns and is responsible for the operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for BOD and NH₃-N.

Action: The Respondent has agreed to: complete the Department-approved upgrade of the WWTF to comply with BOD and NH₃-N limits, and pay a civil penalty in the amount of sixteen thousand dollars (**\$16,000.00**).

44) Order Type and Number: Consent Order 04-084-W
Order Date: April 26, 2004
Respondent: **Carolina Water Service, Inc.**
Facility: Roosevelt Garden Apartments
Location/Mailing Address: P.O. Drawer 4509
West Columbia, S.C. 29171-4509
County: Orangeburg
Previous Orders: Same as Item 43
Permit/ID Number: SC0029645

Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Carolina Water Service, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for NH₃-N, flow and fecal coliform.

Action: The Respondent has agreed to: submit a summary report of corrective measures taken to prevent future violations; and pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**).

45) Order Type and Number: Consent Order 04-085-W
Order Date: April 26, 2004
Respondent: **Rosewood of the Piedmont, Inc.**
Facility: Westview Subdivision
Location/Mailing Address: P.O. Box 2134
Greer, S.C. 29652
County: Greenville
Previous Orders: None
Permit/ID Number: Certificate Number: SCR101069
Violations Cited: S.C. Code Ann. § 48-1-90(a), S.C.
Code Ann. Regs. 61-9.122.41(a) and (e)

Summary: Rosewood of the Piedmont, Inc. (Respondent) owns and is responsible for land-disturbing activities at the Westview Subdivision (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: discharged sediment into waters of the State and failure to comply with all permit conditions as required in the NPDES permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal regulations; within 60 days of the Order date, submit a report, completed by a State Registered Professional Engineer, certifying that all storm water controls have been installed and are properly functioning; and within 30 days of the Order date, pay a civil penalty in the amount of eleven thousand two hundred dollars (**\$11,200.00**).

46) Order Type and Number: Consent Order 04-087-W
Order Date: April 28, 2004
Respondent: **Georgetown County Water & Sewer District**
Facility: DeBordieu Colony WWTF
Location/Mailing Address: P.O. Box 2730
Pawley's Island, S.C. 29585

County: Georgetown
Previous Orders: None
Permit/ID Number: ND0065668
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Georgetown County Water & Sewer District (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for fecal coliform bacteria.

Action: The Respondent has agreed to: submit a CAP for compliance with fecal coliform limits; and pay a civil penalty in the amount of one thousand seven hundred dollars **(\$1,700.00)**. The penalty has been paid.

47) Order Type and Number: Consent Order 04-088-W
Order Date: April 28, 2004
Respondent: **Sonoco Products Company**
Facility: Sonoco Products Company WWTF
Location/Mailing Address: P.O. Box 160
Hartsville, S.C. 29550
County: Darlington
Previous Orders: None
Permit/ID Number: SC0003042
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Sonoco Products Company (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving its pulp and paper mill. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for chronic toxicity.

Action: The Respondent has agreed to: conduct a 12-month toxicity study; and pay a civil penalty in the amount of four thousand two hundred dollars **(\$4,200.00)**.

48) Order Type and Number: Consent Order 04-089-W
Order Date: April 28, 2004
Respondent: **T. Carter Logging, Inc.**
Facility: T. Carter Logging, Inc.
Location/Mailing Address: 2510 Brava Drive
Florence, S.C. 29501
County: Florence
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: T. Carter Logging, Inc. (Respondent) is responsible for silviculture activities on a tract of land. The Respondent has violated the Pollution Control Act as follows: discharged sediment and logging debris into waters of the State.

Action: The Respondent has agreed to: submit a Standard Operating Procedure (SOP) for prevention of unauthorized discharges; have his machine operators attend a South Carolina Forestry Commission class; and pay a civil penalty in the amount of six thousand eight hundred dollars **(\$6,800.00)** in quarterly installments.

49) Order Type and Number: Consent Order 04-094-W
Order Date: May 13, 2004
Respondent: **East Richland County Public Service District (PSD)**
Facility: East Richland Co. PSD Wastewater Treatment Facility (WWTF)
Location/Mailing Address: P.O. Box 23069
Columbia, S.C. 29224
County: Richland
Previous Orders: 01-181-W (\$29,600); 03-193-W (\$5,000)
Permit/ID Number: SC0068865
Violations Cited: S.C. Code Ann. § 48-1-110(d) and S.C. Code Ann. Regs 61-9.122.41(a)(1)

Summary: East Richland County PSD (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for biochemical oxygen demand (BOD).

Action: The Respondent has agreed to: submit a Standard Operating Procedure (SOP) for prevention and elimination of effluent violations; and pay a civil penalty in the amount of five thousand one hundred dollars **(\$5,100.00)**. The penalty has been paid.

50) Order Type and Number: Consent Order 04-095-W
Order Date: May 3, 2004
Respondent: **South Atlantic Environmental Drilling and Construction Company, Inc.**
Facility: SAEDACC, Inc.
Location/Mailing Address: 9088 Northfield Drive
Fort Mill, S.C. 29715
County: Lexington
Previous Orders: None

Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: South Atlantic Environmental Drilling and Construction Company, Inc. (Respondent) is responsible for the construction of groundwater monitoring wells on two sites located in Lexington County, South Carolina. The Respondent has violated the Pollution Control Act as follows: discharged cuttings from groundwater monitoring wells into the environment.

Action: The Respondent has agreed to: submit an SOP for the prevention of unauthorized discharges; and pay a civil penalty in the amount of three thousand four hundred dollars **(\$3,400.00)**.

51) Order Type and Number: Consent Order 04-096-W
Order Date: May 5, 2004
Respondent: **Richland County District One**
Facility: Hopkins Junior High School
Location/Mailing Address: 201 Park Street
Columbia, S.C. 29201
County: Richland
Previous Orders: 03-165-W (\$9,000) Hopkins
Elementary School
Permit/ID Number: SC0031500
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. 61-9.122.41(a)(1)

Summary: Richland County District One (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act as follows: failed to submit the required information on Discharge Monitoring Reports (DMRs) and exceeded the permitted discharge limits for ammonia-nitrogen (NH₃-N), dissolved oxygen (DO), fecal coliform and total residual chlorine (TRC)

Action: The Respondent has agreed to: submit a Corrective Action Plan (CAP) for ammonia; submit a SOP for DMR submittal; and pay a civil penalty in the amount of ten thousand dollars **(\$10,000.00)**. The penalty has been paid.

52) Order Type and Number: Consent Order 04-097-W
Order Date: May 6, 2004
Respondent: **Chickasaw Utility Company**
Facility: Chickasaw Pointe Subdivison
WWTF
Location/Mailing Address: 102 Lilac Drive
Westminster, S.C. 29693
County: Oconee
Previous Orders: 01-187-W (\$10,000.00 suspended)

Permit/ID Number: SC0048259
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Chickasaw Utility Company (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to meet the effluent limits of the National Pollutant Discharge Elimination System permit for biochemical oxygen demand (BOD), NH₃-N, and total phosphorus.

Action: The Respondent has agreed to: comply with all applicable State and Federal laws and regulations; and submit a preliminary engineering report (PER) for the construction of the necessary upgrades with a schedule of implementation. A civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**) was assessed but **suspended** because the violations were a result of placing a newly constructed WWTF online.

53) Order Type and Number: Consent Order 04-103-W
Order Date: May 24, 2004
Respondent: **J. W. Whisenhunt & Sons, Inc.**
Facility: Swine Facility
Location/Mailing Address: 640 Yorkshire Drive
Orangeburg, S.C. 29115
County: Orangeburg
Previous Orders: None
Permit/ID Number: ND0007340/CP# 6,063-AG
Violations Cited: S.C. Code Ann. § 48-1-90, S.C.
Code Ann. Regs. 61-43.100.20.F(2) and (3) and 61-43.100.90(Q) and (R)

Summary: J.W. Whisenhunt & Sons, Inc. (Respondent), located in Orangeburg, South Carolina, owns and is responsible for the proper operation and maintenance of 7 waste storage lagoons. The Respondent has violated the Pollution Control Act and the Standards for the Permitting of Agricultural Animal Facilities as follows: discharged waste into the environment; failed to have the proper number of warning signs around the facility; failed to maintain the vegetation at the proper height; allowed trees to grow within 25 feet of the toe of the waste storage ponds' dikes; and failed to notify the Department or receive approval from the Department to change the operation of the swine facility.

Action: The Respondent has agreed to: comply with all applicable State and Federal laws and regulations; submit an updated Comprehensive Nutrient Management Plan (CNMP); and pay a civil penalty in the amount of eight thousand four hundred dollars (**\$8,400.00**) in quarterly installments.

BUREAU OF AIR QUALITY

54) Order Type and Number: Consent Order 04-012-A
 Order Date: April 1, 2004
 Respondent: **Aardvark Environmental, LLC**
 Facility: Aardvark Environmental, LLC
 Location/Mailing Address: 1400 S. Ocean Blvd
 Myrtle Beach, SC 29577

 County: Horry
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-86.1, Standards of Performance for Asbestos Projects

Summary: Aardvark Environmental, LLC (Respondent), located in Myrtle Beach, South Carolina, is an asbestos abatement contractor, licensed by the Department on March 31, 2003 (contractor license #CO-00065). The Respondent violated South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects, as follows: failure to thoroughly clean and remove all moveable objects from the asbestos abatement work area, failure to perform additional wet cleaning and HEPA-vacuuming when there was evidence of asbestos contamination in the work area, and failure to remove remaining polyethylene critical barriers from the work area.

Action: The Respondent has agreed to: comply with all applicable work practice requirements regarding asbestos abatement projects, and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**). The civil penalty has been paid.

55) Order Type and Number: Consent Order 04-013-A
 Order Date: April 13, 2004
 Respondent: **Hitachi Electronic Devices**
 Facility: Hitachi Electronic Devices
 Location/Mailing Address: PO Box 2203
 Greenville, SC 29602

 County: Greenville County
 Previous Orders: None
 Permit/ID Number: TV-1200-0203
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.70, Title V Operating Permit Program.

Summary: Hitachi Electronic Devices (Respondent), located in Greenville, South Carolina, manufactures projection ray tubes for color televisions. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to submit an accurate Title V Annual Compliance

Certification ("TVACC") for each of the annual reporting periods ending April 20, 2002, and April 20, 2003.

Action: The Respondent has agreed to submit to the Department revised TVACC's for the annual reporting periods ending April 20, 2002, and April 20, 2003; henceforth ensure that future TVACC's accurately reflect the facility's compliance status; and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**). The penalty was paid on March 29, 2004.

56) Order Type and Number: Consent Order 04-014-A
Order Date: April 1, 2004
Respondent: **Palmetto Carpet and Floor Covering, Inc.**
Facility: Charleston Naval Weapons Station
Location/Mailing Address: 1310 Stuart Engals Blvd.
Mt. Pleasant, SC 29464
County: Berkeley
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. Environmental Protection Agency ("EPA") Regulation 40 CFR 61 – National Emission Standards for Hazardous Air Pollutants ("NESHAP"), Subpart M – National Emission Standard for Asbestos ("Subpart M"), and South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects.

Summary: Palmetto Carpet and Floor Covering, Inc. ("Respondent") is a carpet and flooring contractor. The Respondent violated U. S. EPA Regulations at 40 CFR 61 and S.C. Air Pollution Control Regulation 61-86.1, in that it failed to: provide the Department with written notification at least ten working days prior to disturbing regulated asbestos-containing material ("RACM"); obtain an asbestos project license from the Department prior to beginning an asbestos project; ensure that each worker and supervisor employed at the abatement project site met the applicable training requirements and had obtained licenses from the Department; meet work practice requirements for wetting and bagging; and store asbestos-containing material in a secure, lined container.

Action: The Respondent has agreed to: obtain an asbestos project license from the Department prior to beginning any asbestos project; ensure that each worker and supervisor employed at an asbestos abatement project site meets the applicable training requirements and holds a valid Department license; submit written notifications to the Department in accordance with applicable State and Federal regulations prior to commencing any asbestos projects; ensure that it meets applicable work practice requirements during asbestos removal; ensure that RACM is stored in accordance with Department regulations; and pay a civil

57) Order Type and Number: Consent Order 04-015-A
Order Date: April 28, 2004
Respondent: **Clemson University**
Facility: Clemson University
Location/Mailing Address: PO Box 345906
 Clemson, SC 29634-5906
County: Pickens County
Previous Orders: 02-095-A (\$15,000); 00-203-DW
 (\$893); 00-183-DW (\$850)
Permit/ID Number: TV-1880-0010
Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.70, Title V Operating Permit Program, and S.C. Code
 Ann. § 48-1-110(d).

Action: The Respondent has submitted the missing reports, a corrected and revised TVACC, and a complete application for renewal of its Title V Operating Permit. The Respondent has agreed to comply with all terms and conditions of Title V Operating Permit 1880-0010, effective September 25, 1998, until such time as the Department takes final action on the application for renewal; henceforth ensure that future TVACC's accurately reflect the facility's compliance status; henceforth submit periodic reports in accordance with its permit; and pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**). The penalty was paid on April 7, 2004.

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County: Berkeley
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. Environmental Protection Agency ("EPA") Regulation 40 CFR 61 – National Emission Standards for Hazardous Air Pollutants ("NESHAP"), Subpart M – National Emission Standard for Asbestos ("Subpart M"), and South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects.

Summary: Associates Roofing and Construction, Inc. ("Respondent") is a general contractor. The Respondent violated U. S. EPA Regulations 40 CFR 61 and S.C. Air Pollution Control Regulation 61-86.1, in that it failed to: provide the Department with written notification at least ten working days prior to disturbing regulated asbestos-containing material ("RACM"); obtain an asbestos project license from the Department prior to beginning an asbestos project; ensure that each worker and supervisor employed at the abatement project site met the applicable training requirements and had obtained licenses from the Department; meet work practice requirements for wetting and bagging; and store asbestos-containing material in a secure, lined container.

Action: The Respondent has agreed to: obtain an asbestos project license from the Department prior to beginning any asbestos project; ensure that each worker and supervisor employed at an asbestos abatement project site meets the applicable training requirements and holds a valid Department license; submit written notifications to the Department in accordance with applicable State and Federal regulations prior to commencing any asbestos projects; ensure that it meets applicable work practice requirements during asbestos removal; ensure that RACM is stored in accordance with Department regulations; and pay a civil penalty in the amount of six thousand three hundred dollars (**\$6,300.00**) payable in three (3) equal payments of two thousand one hundred dollars (\$2,100.00) each. The first payment is due within thirty (30) days of the execution of the Order to be followed by payments within sixty (60), and ninety (90) days from the execution date of the Order.

59) Order Type and Number: Consent Order 04-017-A
Order Date: April 26, 2004
Respondent: **Army and Air Force Exchange Service**
Facility: Army and Air Force Exchange Service
Location/Mailing Address: Fort Jackson, SC 29207-6055
County: Richland
Previous Orders: None
Permit/ID Number: N/A

Violations Cited: South Carolina Air Pollution Control
Regulation 61-86.1, Standards of Performance for Asbestos Projects

Summary: The Army and Air Force Exchange Service (Respondent) provides personal goods and services to military personnel and operates Building 4712 located at the U.S. Department of the Army's Fort Jackson in Columbia, South Carolina. Building 4712 is the former Fort Jackson Main Post Exchange. The Respondent violated South Carolina Air Pollution Control Regulation 61-86.1, Standards of Performance for Asbestos Projects, as follows: failure to perform an asbestos survey to identify the presence, location, and estimated quantity of asbestos-containing material (ACM) prior to beginning renovations at Building 4712.

Action: The Respondent has agreed to: ensure that it performs an asbestos survey to identify the presence, location, and estimated quantity of ACM prior to beginning any renovation or demolition activities at any facilities that it owns or operates within South Carolina; submit to the Department for approval a plan to implement an asbestos training program for its personnel located within South Carolina as detailed in the Order; distribute to each Exchange located within the United States of America information as detailed in the Order regarding asbestos regulations and the violation that occurred at Fort Jackson; and provide the Department with appropriate verification that the previous items have been completed.

60) Order Type and Number: Consent Order 04-018-A
Order Date: April 28, 2004
Respondent: **Caterpillar Incorporated**
Facility: Caterpillar Incorporated
Location/Mailing Address: 100 N.E. Adams St
Peoria, IL 61629-7310
County: Greenville County
Previous Orders: None
Permit/ID Number: TV-1200-0246
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.70, Title V Operating Permit Program, South Carolina
Air Pollution Control Regulation 61-62.1, Section II, Permit
Requirements, S.C. Code Ann. § 48-1-110(d).

Summary: Caterpillar Incorporated (Respondent), located in Greenville, South Carolina, assembles diesel engines for heavy equipment, transportation and marine use. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to submit an application for a Title V Operating Permit within 12 months of becoming subject to the regulation, failure to obtain the required Department-issued permit prior to modifying the paint used in its E-Coat Tank # 2, and failure to maintain a twelve-month rolling average of diesel fuel usage as required by its Permit.

Action: The Respondent submitted a complete application for a Title V Operating Permit, and an application to use the modified paint in its E-Coat Tank # 2. The Respondent has agreed henceforth to maintain accurate and complete fuel usage records in accordance with its permit, and to pay a civil penalty in the amount of twenty-five thousand dollars **(\$25,000.00)**.

61) Order Type and Number: Consent Order 04-019-A
Order Date: April 28, 2004
Respondent: **Palmetto Plating Company, Inc.**
Facility: Palmetto Plating Company, Inc.
Location/Mailing Address: PO Box 64
Easley, SC 26941
County: Pickens County
Previous Orders: None
Permit/ID Number: 1880-0067
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements, U.S. Environmental Protection Agency ("EPA") Regulation 40 CFR 63 National Emission Standards for Hazardous Air Pollutants ("NESHAP") for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks ("Subpart N"), and Subpart A, General Provisions ("Subpart A"), and South Carolina Air Pollution Control Regulation 61-62.63 – NESHAP, Subpart A and Subpart N, and S.C. Code Ann. § 48-1-110(d).

Summary: Palmetto Plating (Respondent), located in Easley, South Carolina, operates various plating operations at two locations, one at Saco Lowell Road, and another at Folger Avenue. The Respondent previously operated a facility on Highway 123 in Easley. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to obtain required Department-issued permits prior to installing and operating equipment at all three facilities; failure to conduct the required initial performance test to demonstrate compliance with the chromium emissions limit from its hard chrome plating tanks; failure to develop and maintain an operations and maintenance plan; and failure to install an ampere-hour meter and maintain monthly usage records.

Action: The Respondent has submitted the operations and maintenance plan, installed the required ampere-hour meter, and has submitted applications for the required Department-issued permits. The Respondent has agreed henceforth to ensure it applies for and obtains the required Department-issued permits prior to installing, operating, or modifying sources of air pollutants; henceforth to ensure that it maintains compliance with all recordkeeping and reporting requirements as required by its permit and applicable regulations; to conduct a performance test on each hard chrome plating tank no later than 90 days after the execution date of this Order, unless the U.S. EPA has

promulgated changes to Subpart N by that date waiving the requirement; and to pay a civil penalty in the amount of eighteen thousand dollars (**\$18,000.00**).

- 62) Order Type and Number: Consent Order 04-021-A
 Order Date: May 20, 2004
 Respondent: **Caraustar Mill Group, Inc.**
 Facility: Caraustar Mill Group, Inc.
 Location/Mailing Address: PO Box 2329
 Greer, SC 29652

 County: Greenville
 Previous Orders: None
 Permit/ID Number: TV-1200-0013
 Violations Cited: S.C. Ann. § 48-1-110(d) and South
 Carolina Air Pollution Control Regulation 61-62.70, Title V Operating
 Permit Program

Summary: Caraustar Mill Group, Inc. (Respondent), located in Taylors, South Carolina, manufactures paperboard from waste paper products. The Respondent has violated S.C. Code Ann. § 48-1-110(d) and South Carolina Air Pollution Control Regulation 61-62.70, as follows: failure to submit an accurate Title V Annual Compliance Certification ("TVACC") for the reporting period ending September 30, 2003, and failure to submit semiannual visual inspection reports in accordance with the schedule established by its Permit.

Action: The Respondent has agreed to: submit timely and accurate Title V Annual Compliance Certifications, submit semiannual visual inspection reports in accordance with the schedule established by its Permit, include its late submittal of the semiannual visual inspection report for the reporting period ending September 30, 2003, as a deviation on its TVACC for the reporting period ending September 30, 2004, and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

- 63) Order Type and Number: Consent Order 04-022-A
 Order Date: May 25, 2004
 Respondent: **North Safety Products, Inc.**
 Facility: Butyl 2 Plant
 Location/Mailing Address: PO Box 70729
 Charleston, SC 29415

 County: Charleston
 Previous Orders: 01-054-A (\$3,500.00)
 Permit/ID Number: TV-0560-0166
 Violations Cited: S.C. Air Pollution Control
 Regulation 61-62.70, Title V Operating Permit Program, and S.C. Code
 Ann. §48-1-110(d).

Summary: North Safety Products – Butyl 2 Plant (Respondent) manufactures butyl rubber gloves using a cement process. The Respondent violated S.C. Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, in that it failed to submit a timely and accurate Title V Annual Compliance Certification (TVACC) for the July 31, 2002, through July 30, 2003, reporting period. The Respondent also violated S.C. Code Ann. §48-1-110(d), in that it failed to: submit a pollution control device Monitoring Plan within 180 days of start-up; failed to submit an annual certification of compliance with its Monitoring Plan; failed to maintain operational indicators on the Solvent Recovery Unit; failed to establish and submit to the Department monitoring ranges; failed to record correct pressure drop readings on the talc scrubbers for the glove dryers; and failed to submit timely annual visual emissions reports for 2002 and 2003.

Action: The Respondent has agreed to: submit to the Department a revised TVACC for the July 31, 2002, through July 31, 2003, reporting period; establish and submit to the Department monitoring ranges on the talc scrubbers for the glove dryers; submit to the Department a Monitoring Plan compliance certification for the reporting period ending March 4, 2003; maintain and monitor operational indicators on the Solvent Recovery Unit; submit timely and accurate periodic reports and TVACC's in accordance with the schedule and conditions of its Title V permit; correctly record monitoring parameters on all pollution control equipment; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**). The penalty was paid May 25, 2004.

64) <u>Order Type and Number:</u>	Consent Order 04-024-A
<u>Order Date:</u>	May 25, 2004
<u>Respondent:</u>	International Paper
<u>Facility:</u>	Georgetown Mill
<u>Location/Mailing Address:</u>	700 South Kaminski Street Georgetown, SC 29440
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	1140-0002
<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.5, Standard 8, Section II, <u>Toxic Air Emissions</u>

Summary: International Paper – Georgetown Mill (Respondent), located in Georgetown, South Carolina, is an integrated Kraft pulp, bleached fine paper, and market pulp facility. The Respondent violated South Carolina Air Pollution Control Regulation 61-62.5, Standard 8, Section II, Toxic Air Emissions, as follows: exceeded the maximum allowable ambient air concentration of methyl mercaptan from its Black Liquor (Stage 1) Oxidizer No. 1 with cyclone separator.

Action: The Respondent has agreed to: complete construction of modifications to comply with Standard 8 and thereafter comply with 24-hour

average maximum allowable ambient air concentrations of all subject toxic air emissions in accordance with the standard, and within 15 days of completion of the modifications, submit a written notification to the Department indicating such, along with a request to incorporate these modifications into Part 70 (Title V) Air Quality Operating Permit TV-1140-0002.

65) Order Type and Number: Consent Order 04-025-A
 Order Date: May 25, 2004
 Respondent: **Delta Mills Marketing Company**
 Facility: Delta Mills Marketing Company
 Location/Mailing Address: PO Box 56
 Wallace, SC 29596

 County: Marlboro
 Previous Orders: 01-082-A (\$2,200.00); 99-109-W
 (\$9,000)

 Permit/ID Number: TV-1680-0008
 Violations Cited: S.C. Air Pollution Control
 Regulation 61-62.70, Title V Operating Permit Program, section
 70.5(a)(2)(iv).

Summary: Delta Mills Marketing Company (Respondent) produces printed, dyed, and finished textile fabrics. The Respondent violated S.C. Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, section 70.5(a)(2)(iv), in that it failed to submit a complete renewal application at least six (6) months prior to the date of expiration for its Title V permit.

Action: The Respondent has agreed to comply with all terms and conditions of Part 70 ("Title V") Air Quality Operating Permit TV-1680-0008 until such time as a final action is taken on the application for renewal.

MULTI-MEDIA ACTION

Solid Waste Enforcement and Water Pollution Enforcement

66) Order Type and Number: Consent Order 04-06-SW and
 Consent Order 04-086-W
 Order Date: May 12, 2004
 Respondent: **Laurens County Landfill, LLC**
 Facility: Curry Lake C&D Landfill
 Location/Mailing Address: Waste Industries, Inc.
 3301 Benson Drive, Suite 601
 Raleigh, N.C. 27609

 County: Laurens
 Previous Orders: 02-011-SW (\$1,800)

Permit/ID Number:

Certificate Number: SCR004235 and
SCR106543; 302693-1201

Violations Cited:

South Carolina Solid Waste Policy and Management Act of 1991 (Supp. 2003) (Act), 25A S.C. Code Ann. Reg. (Regulation) 61-107-11, Part IV: E.1., E.6., and E.8.; Permit # 302693-1201 (Solid Waste Permit), special condition A.1. and A.2.; Engineering Report and Permit Application dated March, 2002, Section 2.0, Operations Plan (Operations Plan); The Pollution Control Act (PCA) S.C. Code Ann. § 48-1-90(a) (1987); Water Pollution Control Permits (NPDES Permits), 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2003).

Summary: The Curry Lake C&D Landfill (Landfill) is a construction, demolition and land-clearing debris landfill located in Gray Court, South Carolina and is part of Laurens County Landfill, L.L.C. (Respondent) owned by Waste Industries, Inc. The Respondent has violated the Pollution Control Act, Water Pollution Control Permits Regulation, Solid Waste Policy and Management Act, and the Solid Waste Permit as follows: discharged sediment into the environment, failed to comply with all permit conditions of the National Pollutant Discharge Elimination System (NPDES) Permit No. SCR100000 and NPDES Permit No. SCR000000; accepting unapproved waste; and unsatisfactory cover.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; have a copy of the updated Storm Water Pollution Prevention Plan on-site; submit a plan that addresses remediation/corrections of permit and regulatory violations at the landfill; within 15 days from the receipt of any written notice of deficiencies concerning the plan, correct and resubmit the plan for approval; within 90 days of Department approval of the plan, submit a report, completed by a State Registered Professional Engineer, certifying all storm water controls have been installed and are properly functioning at the Site; and pay a civil penalty in the amount of twenty-one thousand dollars (**\$21,000.00**). Twelve thousand six hundred dollars (\$12,600.00) was assessed by the Bureau of Land and Waste Management and eight thousand four hundred dollars (\$8,400.00) was assessed by the Bureau of Water. The penalty has been paid in full.